IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP NO. 2536 of 2007

DATE OF DECISION: 19.02.2007

Harshind Singh ....Petitioner.

Versus

Punjab State Electricity Board and others ..Respondents.

CORAM: HON'BLE MR.JUSTICE J.S. KHEHAR
HON'BLE MR. JUSTICE S.D. ANAND

PRESENT: Ms. Shashi Ghuman., Advocate
for the petitioner.

J.S. Khehar, J. (oral)

The petitioner sought an electricity connection to his residence, which was located in his field. Since the same was not being voluntarily released to him, the petitioner approached this Court by filing CWP No.5598 of 2004. Consequent upon the disposal of the aforesaid writ petition, the petitioner was released an electricity connection, for which the petitioner had to incur personal expenses for 17 electric poles and 2300 metres of wire, besides the cost of a 25 KVA transformer. The petitioner was also required to incur labour charges for installing the aforesaid poles, transformer and wires.

The petitioner thereafter moved an application to the Electricity Board, requiring it to connect the connection released to him to the urban feeder. The Electricity Board complied with the aforestated demand of the petitioner. Resultantly, the electricity connection to the

residential premises located in farm land, was altered from the rural feeder to the urban feeder.

Through the instant writ petition, the petitioner claims the sharing of costs incurred by him for the installation of 17 electricity poles, 2300 metres of electricity wire and the 25 KVA transformer, as well as, the labour charges, with other consumers, who had made use of the aforesaid, when, they, like the petitioner, were released electricity connections from the rural feeder. It is the case of the petitioner, that the applications of such persons, namely, respondents No.8 to 10, in the instant writ petition, were considered in the same manner as the claim of the petitioner for transfer from the rural feeder to the urban feeder, and as such, they should be made to share the costs, along with the petitioner.

On the instant issue, the petitioner had earlier approached this Court by filing CWP No.14109 of 2006. The same was disposed of by this Court with a direction to the Electricity Board, to take a decision on the matter. The Electricity Board has, accordingly, passed an order dated 8.1.2007 (Annexure P-10), denying the petitioner any reimbursement out of the expenses incurred, in the first instance, while releasing electricity connection to him, from the rural feeder.

Having examined the matter in its totality, we are of the view, that the petitioner cannot claim any reimbursement from the Electricity Board, as is apparent from the impugned order and the circulars referred therein, which are not subject matter of challenge at the hands of the petitioner. If the petitioner desires respondents No.8 to 10 to share the expenses incurred by him at the time of release of an electricity

connection from the rural feeder, it is open to the petitioner to seek redressal of his grievances through an ordinary civil suit.

The instant writ petition is, accordingly, disposed of with the aforesaid observations.

(J.S. Khehar)
Judge

(S.D. Anand)
Judge

February 19, 2007.
vig